

ASSEMBLY BILL

No. 2028

Introduced by Assembly Member Mullin
(Coauthor: Senator Hill)

February 20, 2014

An act to add Section 4001.5 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2028, as introduced, Mullin. All-mailed ballot elections: counties.

Existing law authorizes a local, special, or consolidated election to be conducted as an all-mailed ballot election, so long as specified conditions are satisfied. Existing law authorizes elections in the County of Yolo to be conducted wholly by mail as a pilot program, until January 1, 2018, if specified conditions are satisfied.

This bill would authorize a special election to be conducted in a county, including a charter county or charter city and county, wholly by mail, if specified conditions are satisfied.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4001.5 is added to the Elections Code,
- 2 to read:
- 3 4001.5. Notwithstanding Sections 4000 and 4001 or any other
- 4 law, a special election in a county, including a charter county or
- 5 charter city and county, may be conducted wholly by mail if all
- 6 of the following conditions are satisfied:

1 (1) The governing body of the city, county, or district, by
2 resolution, authorizes the all-mailed ballot election and notifies
3 the Secretary of State of its intent to conduct an all-mailed ballot
4 election at least 88 days prior to the date of the election.

5 (2) The election does not occur on the same date as a statewide
6 primary or general election or any other election conducted in an
7 overlapping jurisdiction that is not consolidated and conducted
8 wholly by mail pursuant to this section.

9 (3) If the area within which the voters reside who are qualified
10 to vote in the election includes more than one county, the governing
11 body of the county enters into an agreement with each county
12 within the electoral jurisdiction to conduct the special election
13 wholly by mail pursuant to this section.

14 (4) (A) At least one ballot dropoff location is provided per city
15 or the ballot dropoff locations are fixed in a manner so that the
16 number of voters for each ballot dropoff location does not exceed
17 70,000 on the 88th day prior to the day of election, whichever
18 results in more dropoff locations. A ballot dropoff location shall
19 be open during business hours to receive voted ballots beginning
20 28 days before the date of the election and until 8 p.m. on the day
21 of the election.

22 (B) At least one polling place is provided per city or the polling
23 places are fixed in a manner so that the number of voters for each
24 polling place does not exceed 70,000 on the 88th day prior to the
25 day of election, whichever results in more polling places. A polling
26 place shall allow a voter to request a ballot between 7 a.m. and 8
27 p.m. on the day of the election if the voter has not received their
28 ballots in the mail or if the voter needs a replacement ballot for
29 any other reason.

30 (C) Upon the request of the city, county, or district, the elections
31 official, at his or her discretion, may provide additional ballot
32 dropoff locations and polling places.

33 (5) The elections official delivers to each voter all supplies
34 necessary for the use and return of the mail ballot, including an
35 envelope for the return of the voted mail ballot with postage
36 prepaid.

37 (6) The elections official delivers to each voter, with either the
38 sample ballot sent pursuant to Section 13303 or with the voter's
39 ballot, a list of the ballot dropoff locations and polling places

1 provided pursuant to paragraph (4), and also posts that list on the
2 Internet Web site of the county elections office.

3 (7) The return of voted mail ballots is subject to Section 3017.

4 (8) (A) The polling places provided under this section are at an
5 accessible location and are equipped with voting units or systems
6 that are accessible to individuals with disabilities and that provide
7 the same opportunity for access and participation, including the
8 ability to vote privately and independently.

9 (B) A ballot dropoff location provided for under this section
10 shall consist of a locked ballot box located in a secure public
11 building that meets the accessibility requirements for a polling
12 place.

13 (9) Elections pursuant to this section may be held on no more
14 than three different dates.

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